

103(a) Rejection

The Examiner rejected Claims 1-3 and 6-15 under 35 USC 103(a) as being unpatentable over Wartski et al. (5,375,118) in view of Rao et al. (5,375,118). Applicant has reviewed the office action and the examiners' rejections and notes that the rejections are based on 35 USC 103(a) as being unpatentable over Wartski et al. (5,375,118) in view of Backes et al. (5,818,838). Applicant has therefore reviewed the Wartski et al. and Backes et al. references and respectfully assert that the claimed embodiments of the present invention are not rendered obvious in view of Wartski et al. in combination with Backes et al. for the following rationale.

Specifically, Claim 1 states "a mechanism for handling units of data received based on a destination address of said packets before transmitting on said network in order to improve overall network operation." As the Examiner stated, "Wartski et al. do not explicitly disclose data received based on a destination address of said packets." However, applicant respectfully disagrees with the Examiner's assertions that the teachings of Wartski et al. can be combined with Backes et al. to teach the present invention as illustrated in Claim 1.

Applicant understands that Wartski et al. teaches the sorting of data cells according to their virtual circuit identifier. However, the present Claim 1 states handling the units of data received based on the destination address of

said packets. Moreover, applicant understands that Backes et al. teaches to only fully receive a data packet based on a destination address. Therefore, applicant respectfully submits the teachings of Wartski et al. in combination with Backes et al. fail to teach or suggest the desirability of the claimed limitation.

Applicant respectfully submits that Claim 13 states "a transmitting node network interface schedules and transmits data units on said transmission media in a destination-based order to improve network throughput." Applicant respectfully submits that this limitation is not taught or suggested by the cited references. As the Examiner stated, "Wartski et al. do not explicitly disclose data received based on a destination address of said packets." However, applicant respectfully disagrees with the Examiner's assertions that the teachings of Wartski et al. can be combined with Backes et al. to teach the present invention as illustrated in Claim 13.

Applicant understands that Wartski et al. teaches the sorting of data cells according to their virtual circuit identifier. However, the present Claim 13 states "schedules and transmits data units on said transmission media in a destination-based order." Moreover, applicant understands that Backes et al. teaches to only fully receive a data packet based on a destination address. Therefore, applicant respectfully submits the teachings of Wartski et al. in

combination with Backes et al. fail to teach or suggest the desirability of the claimed limitation.

Additionally, Claims 2 and 7 are also dependent from Claim 1 which include the limitation of a mechanism for handling units of data received based on a destination address of said packets before transmitting on said network in order to improve overall network operation. Applicant respectfully submits that this limitation is not taught or suggested by the cited references.

Claims 3 and 8 are also dependent from Claim 1 which include the limitation of a mechanism for handling units of data received based on a destination address of said packets before transmitting on said network in order to improve overall network operation. Applicant respectfully submits that this limitation is not taught or suggested by the cited references.

Claim 12 states "while minimizing the time to transmission from when a packet is received by said interface for receiving said data." Applicant further understands Backes et al. to teach the reduction of unnecessary data flow, not a minimization of the time to transmission from when a packet is received. Therefore, Applicant respectfully submits the teachings of Wartski et al. in combination with Backes et al. fail to teach or suggest the desirability of the claimed limitation.

Claims 14 and 15 are also dependent from Claim 13 which include the limitation of a transmitting node network interface schedules and transmits data units on said transmission media in a destination-based order to improve network throughput. Applicant respectfully submits that this limitation is not taught or suggested by the cited references.

For the above reasons, Applicant respectfully submits that Claims 1-3 and 6-15 are allowable.

CONCLUSION

In light of the above remarks, Applicant respectfully requests reconsideration of the rejected Claims.

Based on the argument presented above, Applicant respectfully asserts that Claims 1-3 and 6-15 overcome the rejections of record and, therefore, Applicant respectfully solicits allowance of these Claims.


The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

WAGNER, MURABITO & HAO

Date: _____

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John P. Wagner Jr.
Reg. No. 35,398

Two North Market Street
Third Floor
San Jose, California 95113
(408) 938-9060